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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/562,773

10/02/2006

John Charles Holdsworth

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EXAMINER

KAMAL, SHAHID

ART UNIT

PAPER NUMBER

3621

MAIL DATE

DELIVERY MODE

11/26/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/562,773	<b>Applicant(s)</b> HOLDSWORTH, JOHN CHARLES	
	<b>Examiner</b> SHAHID KAMAL	<b>Art Unit</b> 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/13/2006</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Acknowledgements*

1. The claims 15 and 16 are currently pending and have been examined.
2. This Office Action is response to the application filed on October 02, 2006.

### *Priority*

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file. The certify copy was filed on December 29, 2005.

### *Information Disclosure Statement*

4. The Information Disclosure Statement filed on 13 November 2006 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

### *Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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6. Claims 15 and 16 are rejected under 35 U.S.C. 102(e) as anticipated by Asokan et al. (US Pub. No. 2002/0161723 A1) (“Asokan”).

Referring to claim 15, Asokan discloses the following:

- a) receiving a purchase request message from the mobile device (mobile station 20), the purchase request message comprising an identifier for the cardholder (user 10) and a merchant (seller 50) URL (see abstract, ¶¶ 0011, 0028, 0031, 0035, 0050);
- b) extracting the identifier from the purchase request message (message 910) (see figures 2, 3, 5 & associated text, ¶¶ 0016, 0031, 0045);
- c) obtaining cardholder (user 10) data from a database (database 60) based on the extracted identifier (see abstract, ¶¶ 0004, 0010, 0031, 0047, 0049);
- d) connecting with a merchant (seller 50) via the merchant's URL so as to simulate an internet browsing session (see abstract, ¶¶ 0011, 0028, 0031, 0035, 0050);
- e) receiving from the merchant (seller 50) an authentication request message (message 910) (see abstract, figures 1, 12, & associated text, ¶¶ 0008, 0010, 0011, 0032, 0034, 0049, claims 1, 15);
- f) forwarding the authentication (authentication 90) request message to a remote authentication system (authentication mobile station 20) (see abstract, figures 1, 12, & associated text, ¶¶ 0008, 0010, 0011, 0032, 0034, 0049, claims 1, 15);
- g) receiving a purchase authentication web page from the authentication system (authentication mobile station 20) (see abstract, figures 1, 12, & associated text, ¶¶ 0008, 0010, 0011, 0032, 0034, 0049, claims 1, 15);

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h) extracting displayable information and storing the purchase authentication web page (see abstract, figures 1, 12, & associated text, ¶¶0008, 0010, 0011, 0032, 0034, 0049, claims 1, 15);

i) forwarding the displayable information to the cardholder (user 10) and prompting the cardholder (user 10) to enter his or her credentials (ID) (see abstract, ¶¶ 0004, 0010, 0031, 0047, 0049);

j) receiving the cardholder (user 10) credentials (see abstract, ¶¶ 0004, 0010, 0031, 0047, 0049);

k) parsing the stored purchase authentication web page and recognizing the cardholder (user 10) credential field(s) (see abstract, ¶¶ 0004, 0010, 0031, 0047, 0049);

l) inserting the received cardholder (user 10) credentials into the purchase authentication web page (see abstract, ¶¶ 0004, 0010, 0031, 0047, 0049);

m) sending the populated purchase authentication web page to the authentication system (authentication mobile station 20) (see abstract, figures 1, 12, & associated text, ¶¶0008, 0010, 0011, 0032, 0034, 0049, claims 1, 15); and

n) receiving an authentication response from the authentication system (authentication mobile station 20) (see abstract, figures 1, 12, & associated text, ¶¶0008, 0010, 0011, 0032, 0034, 0049, claims 1, 15).

Referring to claim 16, Asokan discloses the following:

a) receive a purchase request message from the mobile device(mobile station 20), the purchase request message comprising an identifier for the cardholder (user 10) and a merchant (seller 50) URL (see abstract, ¶¶ 0011, 0028, 0031, 0035, 0050);

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b) extract the identifier from the purchase request message (message 910) (see figures 2, 3, 5 & associated text, ¶¶ 0016, 0031, 0045);

c) obtain cardholder (user 10) data from a database (database 60) based on the extracted identifier (see abstract, ¶¶ 0004, 0010, 0031, 0047, 0049);

d) connect with a merchant (seller 50) via the merchant's URL so as to simulate an internet browsing session (see abstract, ¶¶ 0011, 0028, 0031, 0035, 0050);

e) receive from the merchant (seller 50) an authentication request message (see abstract, figures 1, 12, & associated text, ¶¶ 0008, 0010, 0011, 0032, 0034, 0049, claims 1, 15);

f) forward the authentication request message to a remote authentication system (authentication mobile station 20) (see abstract, figures 1, 12, & associated text, ¶¶ 0008, 0010, 0011, 0032, 0034, 0049, claims 1, 15);

g) receive a purchase authentication web page from the authentication system (authentication mobile station 20) (see abstract, figures 1, 12, & associated text, ¶¶ 0008, 0010, 0011, 0032, 0034, 0049, claims 1, 15);

h) extract displayable information and storing the purchase authentication web page (see abstract, figures 1, 12, & associated text, ¶¶ 0008, 0010, 0011, 0032, 0034, 0049, claims 1, 15);

i) forward the displayable information to the cardholder (user 10) and prompting the cardholder (user 10) to enter his or her credentials (see abstract, ¶¶ 0004, 0010, 0031, 0047, 0049);

j) receive the cardholder (user 10) credentials (see abstract, ¶¶ 0004, 0010, 0031, 0047, 0049);

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k) parse the stored purchase authentication web page and recognizing the cardholder (user 10) credential field(s) (see abstract, ¶¶ 0004, 0010, 0031, 0047, 0049);

l) insert the received cardholder (user 10) credentials into the purchase authentication web page (see abstract, ¶¶ 0004, 0010, 0031, 0047, 0049);

m) send the populated purchase authentication web page to the authentication system (authentication mobile station 20) (see abstract, figures 1, 12, & associated text, ¶¶ 0008, 0010, 0011, 0032, 0034, 0049, claims 1, 15); and

n) receive an authentication response from the authentication system (authentication mobile station 20) (see abstract, figures 1, 12, & associated text, ¶¶ 0008, 0010, 0011, 0032, 0034, 0049, claims 1, 15).

**Examiner's Note:**

7. The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Kinoshita et al. (US 2003/0055792 A1), Electronic payment method, system, and devices.

b) Rolf (US 7,376,583 B1), Device for making a transaction via a communications link.

Any inquiry concerning this communication or earlier communications from the patent examiner should be directed to Shahid Kamal whose telephone number is (571) 270-3272. The Patent examiner can normally be reached on Monday-Thursday (9:00am -7:00pm), Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on (571) 272-6779. The fax phone number for this origination where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published application may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-directed.uspto.gov>.



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Should you have any questions on accessing to the Private PAIR system, contact the Electronic Business Center (EBC) at 1(866) 217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 1(800) 786-9199 (IN USA OR CANADA) or 1(571) 272-1000.

Shahid Kamal  
November 20, 2008

/Calvin L Hewitt II/  
Supervisory Patent Examiner, Art Unit 3685